

REMARKS/ARGUMENTS

Claims 35-38, 40-42, 44-50, 52-57, 59-60, 62-64, and 66-67 are pending. By this Amendment, claims 35, 44, 47, 55, and 62 are amended, and claims 43, 61, and 68 are canceled without prejudice or disclaimer. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. No new matter is added. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action rejected claims 35-38, 40, 42-44, 46-50, 52, 54-57, 59-64, and 66-68 under 35 U.S.C. §103(a) as being unpatentable over Ogikubo, U.S. Patent Publication No. 2003/0063528, in view of Logan et al. (hereinafter “Logan”), U.S. Patent Publication No. 2008/0155616. As noted above, claims 43, 61, and 68 have been canceled. The rejection is respectfully traversed insofar as it applies to claims 35-38, 40, 42, 44, 46-50, 52, 54-57, 59-60, 62-64, and 66-67.

Independent claims 35 recites, *inter alia*, storing a plurality of resume marks for a plurality of programs corresponding to the provided audio/video data stored on the recording medium to control each of the plurality of programs independently, wherein each of the plurality of resume marks includes last playback position information having a presentation time stamp and mark type information, wherein the mark type information represents whether an associated program is a most recently played program among the plurality of programs having resume marks stored therefor, wherein the plurality of resume marks is in one-to-one correspondence with the

plurality of programs, and wherein each of the plurality of resume marks further comprises program identification information for the associated program. Independent claim 44 recites a plurality of resume marks to control each of a plurality of programs independently which are stored on a recording medium, each of the plurality of resume marks comprising, *inter alia*, a mark type configured to represent whether an associated program is a most recently played program among a plurality of programs having the plurality of resume marks stored therefor, and a mark time stamp configured to represent a last playback position of the associated program and including a presentation time stamp, wherein the plurality of resume marks is in one-to-one correspondence with the plurality of programs.

Independent claim 47 recites, *inter alia*, storing a plurality of resume marks for a plurality of programs corresponding to the provided audio/video data stored on the recording medium to control each of the plurality of programs independently, wherein each of the plurality of resume marks includes last playback position information having a presentation time stamp and mark type information, and wherein the mark type information represents whether an associated program is a most recently played program among the plurality of programs having resume marks stored therefor; and selecting one of the plurality of programs for playback based on the stored plurality of resume marks, wherein the plurality of resume marks is in one-to-one correspondence with the plurality of programs, and wherein each of the plurality of resume marks further comprises program identification information for the associated program. Independent claim 55 recites a recording device that records, on the recording medium, a

plurality of resume marks for a plurality of programs corresponding to the data stored on the recording medium to control each of the plurality of programs independently, wherein each of the resume marks includes last playback position information having a presentation time stamp and mark type information, and wherein the mark type information represents whether an associated program is a most recently played program among the plurality of programs having resume marks stored therefor; and a control circuit that controls the recording device, wherein the plurality of resume marks is in one-to-one correspondence with the plurality of programs, and wherein each of the plurality of resume marks further comprises program identification information for the associated program. Independent claim 62 recites a reproducing device that reproduces, from the recording medium, a plurality of resume marks for a plurality of programs corresponding to the data stored on the recording medium to control each of the plurality of programs independently, wherein each of the resume marks includes last playback position information having a presentation time stamp and mark type information, and wherein the mark type information represents whether an associated program is a most recently played program among the plurality of programs having resume marks stored therefor; and a control circuit that controls the reproducing device, wherein the plurality of resume marks is in one-to-one correspondence with the plurality of programs, and wherein each of the plurality of resume marks further comprises program identification information for the associated program.

Ogikubo and Logan, taken alone or in combination, do not disclose or suggest all of such features of independent claims 35, 44, 47, 55, and 62, or the respective claimed combinations.

That is, Ogikubo is directed to an information record and playback apparatus and computer program. The apparatus stores resume management information for each user on an optical disc D. The resume management information includes resume information and date and time information for the user. The resume information includes position information on an optical disk D at which the user stopped playback. See, for example, Figure 2 of Ogikubo. Ogikubo further discloses that when the user enters a playback stop command (step S1) and when the resume information of the user is contained in the resume management information, a control section 41 updates the resume information and the date and time information of the user in the resume management information (step S4). See, for example, paragraphs [0062]-[0063] of Ogikubo.

Thus, it is respectfully submitted that Ogikubo merely discloses one resume information for the optical disk (per user), which is merely updated when the user stops playback of the optical disk. However, Ogikubo does not disclose or suggest at least the features of storing a plurality of resume marks for a plurality of programs corresponding to the provided audio/video data stored on the recording medium to control each of the plurality of programs independently, wherein the mark type information represents whether an associated program is a most recently played program among the plurality of programs having resume marks stored therefor, wherein the plurality of resume marks is in one-to-one correspondence with the plurality of programs, and wherein each of the plurality of resume marks further comprises program identification information for the associated program, as recited in independent claim 35, or the claimed

combination. Logan fails to overcome the deficiencies of Ogikubo, as it is merely cited for allegedly teaching wherein the plurality of resume marks comprises program identification information for the associated program.

Independent claims 44, 47, 55, and 62 recite features similar to independent claim 35, and therefore, are allowable over Ogikubo and Logan for reason similar to those set forth above with respect to independent claim 35.

Accordingly, the rejection of independent claims 35, 44, 47, 55, and 62 over Ogikubo and Logan should be withdrawn. Dependent claims 36-38, 40, 42, 46, 48-50, 52, 54, 56-57, 59-60, 63-64, and 66-67 are allowable over Ogikubo and Logan at least for the reasons discussed above with respect to independent claims 35, 44, 47, 55, and 62, from which they respectively depend, as well as for their added features.

The Office Action rejected claims 41, 45, and 53 under 35 U.S.C. §103(a) as being unpatentable over Ogikubo, in view of Logan, and further in view of Well Known Knowledge of the art. The rejection is respectfully traversed.

Dependent claims 41, 45, and 53 are allowable over Ogikubo and Logan at least for the reasons discussed above with respect to independent claims 35, 44, and 47, from which they respectively depend, as well as for their added features. Accordingly, the rejection should be withdrawn.

Serial No. **10/783,027**

Docket No. **LT-0048**

Amendment dated June 4, 2010

Reply to Office Action of March 4, 2010

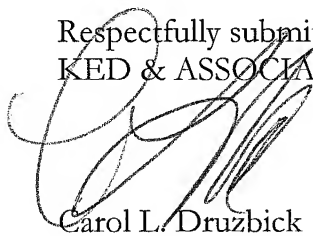
CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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